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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,807	01/10/2001	Nobuhiro Komata	SCEI 17.998	7356

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NEW YORK, NY 10022-2585

EXAMINER

ARNOLD, ADAM

ART UNIT	PAPER NUMBER
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2671

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/757,807

Applicant(s)

KOMATA, NOBUHIRO

Examiner

Adam Arnold

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5,7-10,12 and 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,7-10,12 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The examiner acknowledges the receipt and entry of the applicant's amendment.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4, 5, 7-10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lien, U.S. Patent No. 4,245,405, in view of Armstrong, U.S. Patent No. 5,999,084. Referring to claim 1, Lien discloses a recording medium on which are recorded computer-readable and executable software programs that perform processing (col. 6, lines 5-9 and col. 8, line 50) that performs processing by taking as commands an output from a controller (col. 6, line 20) which has a variable output pressure sensing means (col. 4, line 45), where the processing programs display messages on a screen of a computer (col. 2, line 7) in accordance with the output of the controller (col. 3, lines 22-23); where each message comprises a pre-defined sentence having a plurality of sentence components (col. 2, lines 10-12), each component sequentially displayed on the screen (col. 2, line 34) in pre-defined order (col. 1, lines 52-53—this is disclosed in the Summary, although the invention teaches towards random display); and where an output value obtained from the variable output pressure sensing means determines the sequential rate at which sentence components are sequentially displayed (col. 2, lines 28-31). Lien does not disclose where the magnitude of an output value determines the sequential rate of

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the displayed sentence components. Armstrong discloses the ability to variably increase and reduce the sensor output dependent on the pressure exerted by the user in order to move faster or slower on a display (col. 3, lines 1-6). At the time the invention was made it would have been obvious to a person of ordinary skill in the art to determine the sequential rate at which sentence components are displayed based on the magnitude of an output value. One of ordinary skill in the art would have been motivated to do this to provide the user with proportional or analog control (see col. 2, line 10 of Armstrong).

Referring to claim 2, Lien does not disclose where the sentence components are sequentially displayed on a screen in accordance with a rate of change per unit time of an output value of variable output controller pressure sensing means. Armstrong discloses where the compressive force on a variable conductance material (col. 10, lines 53-59) causes objects to move faster or slower on the screen as shown above. In accordance with Newton's second law of motion, the change in velocity with which an object moves is directly proportional to the magnitude of force applied to the object. Therefore, the rationale applied to claim 1 above applies equally to this claim.

Referring to claim 4, Lien further discloses detecting an operation pressure of a user on the controller (col. 5, lines 63-64), generating a variable pressure sensing output value (col. 6, line 2) and generating the message components until the message is displayed (col. 2, lines 28-35).

Referring to claim 5, the remarks presented above with respect to claim 2 apply equally to this claim.

Referring to claim 7, Lien does not disclose where the number of displays is determined in accordance with pressure output values in a correspondence table. At the time the invention was made it would have been obvious to a person of ordinary skill in the art to utilize a correspondence table to determine the output value. One of ordinary skill in the art would have been motivated to do this because data tables (e.g. databases) are frequently used for storing, retrieving and processing data.

Referring to claim 8, Lien discloses where message components are sequentially displayed in accordance with a rate of change between a previous pressure sensing value and a current pressure sensing value (col. 13, lines 1-6).

Referring to claim 9, the remarks presented above with respect to claim 4 apply equally to this claim.

Referring to claim 10, the remarks presented above with respect to claim 5 apply equally to this claim.

Referring to claim 12, the remarks presented above with respect to claim 7 apply equally to this claim.

Referring to claim 13, the remarks presented above with respect to claim 8 apply equally to this claim.

Response to Arguments

3. Applicant's response with respect to the objection to the claim language has been fully considered and is persuasive. The objection has been withdrawn.

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4. Applicant's arguments with respect to claims 1, 2, 4, 5, 7-10, 12 and 13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Adam Arnold** whose telephone number is **703-305-8413**. The examiner can normally be reached Monday-Thursday and alternate Fridays between 7:00 AM and 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman, can be reached at (703) 305-9798.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

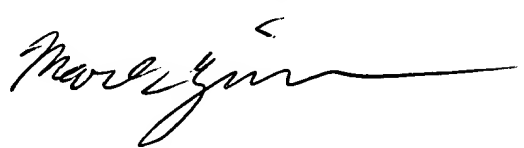
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.


MARK ZIMMERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600